

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY TO
ENTER INTO A STORM WATER DRAINAGE
IMPACT FEES REIMBURSEMENT AGREEMENT
WITH LEE BANGERTER, FOR STORM DRAINAGE
IMPROVEMENTS.**

WHEREAS, Lee Bangerter, is currently developing a project known as Bangerter Acres Subdivision located at approximately 3306 South 6400 West; and

WHEREAS, Lee Bangerter, has provided certain storm water drainage improvements to the City's storm water drainage system in excess of those necessary to provide for adequate drainage for their subdivision project; and

WHEREAS, Section 8-2-103(3) West Valley City Municipal Code, provides that the City may reimburse developers for the cost of constructing qualifying improvements to the City's storm water drainage system to the extent that those costs exceed the cost that the developer is obligated to expend under City Ordinances and state law for storm water drainage improvements; and

WHEREAS, an Agreement has been prepared for execution by and between the City and Lee Bangerter, to provide for reimbursement to Lee Bangerter, for qualifying road improvements. A copy of said Agreement is attached hereto and entitled Storm Water Drainage Impact Fees Reimbursement Agreement." This Agreement sets forth the rights, duties, and obligations of each of the parties thereto; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety, and welfare of the citizens of West Valley City to approve the Storm Water Drainage Impact Fees Reimbursement Agreement with Lee Bangerter.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of West Valley City, Utah, that the Storm Water Drainage Impact Fees Reimbursement Agreement is hereby approved and the Mayor is hereby authorized to execute said document for and in behalf of West Valley City, subject to approval of the final form of the document by the City Manager and the City Attorney's Office.

PASSED, APPROVED, and MADE EFFECTIVE this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER